

APPENDIX II

SUMMARY OF PROCEDURES FOR ACCESSING THE ENVIRONMENTAL SECURITY ACCOUNT FOR EMERGENCY SPILL CLEANUPS

PROCEDURES FOR ACCESSING THE ENVIRONMENTAL SECURITY ACCOUNT FOR EMERGENCY SPILL CLEANUPS

1. Once the need to access the Environmental Security Account has been identified, regional management (district officer, abatement manager or regional director) should contact the Security Account Office as soon as possible to provide preliminary details of the work to be done (or already done) and any estimates of cleanup costs.
2. The district officer is responsible for ensuring the assembly of all pertinent information such as
 - correspondence between the Ministry and the discharger, contractor, or other agencies involved,
 - Minister's directions or orders,
 - written estimates of cost,
 - occurrence report, and
 - other reports, letters or memos relating to the incident.

The above items should be enclosed with a memo from the Regional Director to the Coordinator, Security Accounts Office, Regional Operations Division, to formally request payment of cleanup costs from the Environmental Security Account.

3. The district officer is responsible for verifying all invoices submitted to the Ministry and then obtaining the appropriate level of signing authority, and attaching the Assistant Deputy Minister's approval for funding, prior to sending them to the Financial Services and Capital Management Branch (Accounts Payable) for processing and payment.

Notes:

- (i) If an extended long term project is needed to the cleanup and restoration, following initial containment and cleanup, a separate submission should be made to the Security Account Office, following normal Security Account procedures. (Please refer to the Environmental Security Account Policy and the Security Account User Guide).
- (ii) Maintain records of all invoices in district/regional office for subsequent audit or use during subsequent litigation.
- (iii) If the Ministry is paying for the cleanup without benefit of tender, personnel should obtain the appropriate Ministry approval on single sourcing based on the estimated cost and oversee all the cleanup activities to ensure costs are reasonable.

APPENDIX III

WASTE MANAGEMENT CONSIDERATIONS

FOR VARIOUS SPILL SCENARIOS

WASTE MANAGEMENT CONSIDERATIONS FOR SPILLED MATERIALS

"Subject wastes" are defined in Sect.1, ss.57-Reg.347, Pt.V, *EP Act*, as liquid industrial waste and hazardous waste (see specific definitions). For hazardous waste and liquid industrial waste exclusions, see Sec.1, ss. 27 & 38, respectively, Reg. 347.

ON-SITE SPILLS

1. **The spill occurs at the controllers/owner's primary place of business, and the material is defined as:**

- a) **a subject-waste under Reg. 347, Pt.V, *EP Act* and is registered;**

then, can be transported for disposal using a waste manifest indicating the existing site waste generator registration (WGR) number and waste class, the licensed waste carrier and the licensed waster receiver,

or, can be stored on site until transport for waste disposal can be arranged (such storage must be reported to the Regional Director if to continue for more than three months (Reg. 347)),

or, if the situation warrants prompt action to alleviate a situation, the authority given

under the *EP Act*, Sec. 94, 96 or 97 may be used without adhering to either of the previous two options

b) a subject-waste under Reg. 347, Pt.V, *EP Act* and is not registered;

then, can use an emergency waste generator number and an appropriate waste class to allow waste manifesting, for disposal, by a licensed carrier to a licensed receiver,

or, store on site until transport for waste disposal can be arranged or until the waste material can be suitably classified (such storage must be reported to the Regional Director if to continue for more than three months (Reg. 347)),

or, if the situation warrants prompt action to alleviate a situation, the authority given under the *EP Act*, Sec. 94, 96 or 97 may be used without adhering to either of the previous two options

c) a recyclable material (the spilled product may now be contaminated but usable (Sect.51 - Reg.347));

then, if the material is hazardous or liquid industrial, can be transported (must be direct) without manifesting to the site where it will be used (owner will have to consider TDG-Act requirements (placarding) if the material is a regulated dangerous good),

or, can be stored on site until arrangements for transporting can be made,

or, if the situation warrants prompt action to alleviate a situation, the authority given under the *EP Act*, Sec. 94, 96 or 97 may be used without adhering to either of the previous two options.

- d) **not a subject waste (solid non-hazardous, or a liquid waste excluded as per Sec.1, ss.27 or 38, Reg.347);**

then, can be transported directly to an approved disposal site by a licensed Carrier,

or, can be stored on site until other arrangements can be made for disposal,

or, if the situation warrants prompt action to alleviate a situation, the authority given under the *EP Act*, Sec. 94, 96 or 97 may be used.

OFF-SITE SPILLS

2. **The spill occurs at other than the controller/owner's place of business, and the material is:**

- a. **a subject waste under Reg.347, Pt.V, *EP Act*;**

then, can use an emergency waste generator number and appropriate waste class to allow waste manifesting, for disposal, by a licensed carrier to a licensed receiver,

or, utilize the "Field Operations Exemption" as it applies to spill clean-up activities, which allows for the temporary storage of wastes at a local waste transfer facility(*) - examples of when it might be used are:

- i) - waste class cannot be readily determined
- ii) - licensed carriers and receivers are not readily available for waste manifesting

- iii) - a municipality, road authority, police, fire dept., or Ministry takes control of the waste clean-up

*The waste material can be taken to a local waste transfer facility which is not part of a waste management system, but meets certain site requirements with respect to containment, fire safety, etc. (See Field Operations Exemption for a definition of a "local waste transfer facility").

or, if the situation warrants prompt action to alleviate a situation, the authority given under the *EP Act*, Sec. 94, 96, or 97 may be used without adhering to either of the previous two options

- b) not a subject waste (solid non-hazardous, or a liquid waste excluded from Sec. 1, ss. 27 & 38, Reg. 347);**

then, can be transported directly to an approved disposal site, or local waste transfer facility (described in the Field Operations Exemption), by the controller/owner, municipality, road authority, police, fire dept. Ministry or another designated contractor,

or, if the situation warrants prompt action to alleviate a situation, the authority given under the *EP Act*, Sec. 94, 96, or 97 may be used without adhering to the previous option

- c) a recyclable material (the spilled product may now be contaminated but usable (Sec. 51 - Reg. 347));**

then, if the material is hazardous or liquid industrial it can be transported (must be direct) without manifesting to the site where it will be used (owner will have to consider TDG-Act requirements (placarding) if the material is a regulated dangerous good),

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- or, can be transported to a local waste transfer facility (as per the Field Operations Exemption) by the controller/owner, municipality, road authority, police, fire dept., Ministry or another designated contractor, until further arrangements can be made,
- or, if the situation warrants prompt action to alleviate a situation, the authority given under the *EP Act*, Sec. 94, 96, or 97 may be used without adhering to either of the previous two options.